REMARKS

Claims 1-21 are currently pending, with claims 1 and 16 being the only independent claims. Claims 1-21 have been amended to place the claims in more proper form under U.S. Patent Practice. The drawings have been amended. The specification has been amended. No new matter has been added by way of this amendment. Reconsideration of the application, as amended, is respectfully requested.

In the Office Action mailed November 1, 2004 (¶¶1-2), the figures were objected to for various reasons. Fig. 1 has been amended to change the word "TCFS" to --TFCS--. Fig. 2 and Fig. 3 have been amended to include descriptive text in the unlabeled rectangular boxes, with Fig. 2 being divided into Figs. 2a and 2b. No new matter has been added by way of the amendment. Withdrawal of the objections to the drawings is requested.

In the Office Action (¶3), the Examiner required under 37 C.F.R. §1.72(b) that an Abstract on a separate sheet be filed. Applicants note that the present application is a U.S. national stage application of international stage PCT application No. PCT/FI99/00925, a published pamphlet version of which was included in the filing papers of this national stage application as WO 00/28760. The abstract appeared on the cover sheet of the published pamphlet version of the PCT application. As stated at §1893.03(e) of the MPEP (emphasis added):

> When the international application is published as the pamphlet, the abstract is reproduced on the cover page of the publication, even though it appears on a separate sheet of the international application in accordance with PCT Rule 11.4(a). Thus the requirement of 37 C.F.R. §1.52(b) that the abstract "commence on a separate sheet" does not apply to the copy of the application (pamphlet) communicated to the designated Offices by the International Bureau under PCT Article 20. Accordingly, it is improper for the examiner of the U.S. national stage application to require the applicant to provide an abstract commencing on a separate sheet if the abstract does not appear on a separate sheet in the pamphlet. Unless the abstract is properly amended under the U.S. rules during national stage processing, the abstract that appears on the cover page of the pamphlet will be the abstract published by the USPTO under 35 U.S.C. §122(b) and in any U.S. patent issuing from the application.

Therefore, in the present national stage application, the filing of the original Abstract on a separate sheet is not necessary. Withdrawal of this objection is therefore respectfully requested.

The Examiner has objected to the specification. (¶4). Applicants have amended the specification in the manner suggested by the Examiner. Withdrawal of this objection is respectfully requested.

Claims 1-21 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,374,112 ("Widegren").

The invention recited in independent claim 1 relates to a system and method for controlling a plurality of bearers in a cellular telecommunication system, wherein the bearers are data transmission paths that relate to a receiver, and each bearer has at least one transport format (TF) that describes properties of the bearer.

Independent claim 1 includes the steps of "constructing a set of allowed transport format combinations (TFCS), [where] the transport format combination (TFC) [is] a combination of transport formats (TF) of a plurality of bearers, and communicating information specifying said set of allowed transport format combinations (TFCS) to the receiver for construction of said set of allowed transport format combinations (TFCS) at the receiver."

With reference to page 3 and 4 of the specification, the transport format (TF) is a set of parameters indicating, e.g., the payload data rate, the error control method, the interleave method used or the physical layer processing applied to the data to be transmitted. A bearer may have more than one TF, where every TF has a corresponding transport identifier (TFID). The combination of active TFs is a Transport Format Combination (TFC). In this case, the set of all TFCs form the Transport Format Combination Set (TFCS), where each TFC has a corresponding Transport Format Combination Identifier (TFCI) that is used to inform the receiver of the current combination of transport formats. Widegren fails to teach such a "mapping" of bearers to a number of TFs, i.e., the step of "communicating information specifying the set of allowed TFCSs to the receiver for construction of the set of allowed TFCSs at the receiver," as set forth in independent claim 1. Moreover, Widegren fails to teach or suggest that TFCs are "a combination of TFs of a plurality of bearers," as also recited in independent claim 1.

Widegren relates to providing a wide variety of mobile communications services and allocating resources to support those services (see col. 1, lines 10-12). According to Widegren, a Universal Mobile Telephone System (UMTS) Terrestrial Radio Access Network (UTRAN) responds to radio access bearer service requests with a flexible and efficient allocation of the resources needed to support communications with a mobile radio (see col. 2, lines 49-53). The UTRAN includes plural base stations for communicating with mobile radios over a radio air interface using radio channel resources allocated by a radio network controller connected to the base stations (see col. 2, lines 53-58). External network service nodes interfaced with external networks communicate with mobiles via the UTRAN. When one of the service nodes requires

communication with a mobile radio, the service node requests a radio access bearer from the UTRAN rather than a specific radio channel resource (see col. 2, lines 58-61).

The Office Action (page 5) states that Widegren discloses, with reference to applicants' independent claims:

> - *a set of allowed transport format combinations (TFCS) is constructed, a transport format combination (TFC) being a combination of transport formats (TF) of a plurality of bearers* (see col. 3, lines 22-25, lines 34-35, a plural of radio access bearer can be established with one or more parameters accompanying the radio access bearer service request),
> - *information specifying said set of allowed transport format combinations (TFCS) is communicated to the receiver for construction of said allowed transport format combinations (TFCS) at the receiver* (see col. 3, lines 16-21, UTRAN dynamically assigned radio access bearers to UTRAN transport and radio channel resources based on quality of services parameters from the radio access bearer request which is the mobile station)." (italics in original).

Widegren states (col. 3, lines 22-25 and lines 33-35) that there may be many bearers that are assigned and released to one mobile terminal, and that each bearer has parameters that are sent based on a request that is transmitted to the UTRAN. However, independent claim 1 requires each bearer to have at least one transport format (TF) that describes the properties of the bearer, as well as the construction of a set of allowed transport format combinations (TFCS) which is a combination of transport formats (TF) of a plurality of bearers. Widegren states (col. 3, line 35) that one or more parameters accompany the radio access bearer service request. Widegren also states (col. 3, lines 44-54) that a mapping is performed, based on the one or more parameters. However, Widegreen fails to teach the step of "constructing a set of allowed transport format combinations (TFCS), [where] the transport format combination (TFC) [is] a combination of transport formats (TF) of a plurality of bearers," as called for in independent tclaim 1. Widegren discloses "parameters", but fails to teach that these parameters are either a TFC or a set of TFCS, which each represent a combination of TFs and a set of allowed TF combinations, respectively. Widegren therefore fails to disclose the constructing step of independent claim 1.

Independent claim 1 also requires information specifying the set of allowed transport format combinations (TFCS) to be communicated to the receiver for construction of the set of allowed transport format combinations (TFCS) at the receiver. Widegren fails to teach a set of allowed transport format combinations (TFCS) which is a combination of transport formats (TF) of a plurality of bearers. As previously stated, Widegren fails to disclose the set of TFCS recited

in independent claim 1. Widegren therefore fails to disclose the communicating step of independent claim 1.

As disclosed in Widegren, independent bearers are established flexibly and dynamically (see col. 2, line 51). However, the invention as recited in independent claim 1 is directed to a method for controlling a plurality of bearers in a cellular telecommunication system. It is likely that the bearers disclosed in Widegren are "handled" one-by-one, even though several simultaneous bearers may exist. However, Widegren fails to construct TFCSs during the "handling" of each bearer, as recited in independent claim 1. Widegren fails to teach or suggest a set TFCSs. Therefore, Widegren fails to perform the steps associated with this aspect of the claimed invention. In view of the foregoing, independent claim 1 is patentable over Widegren and thus, withdrawal of the rejection of independent claim 1 under 35 U.S.C. §102(e) is respectfully requested.

Independent claim 16 is the system claim associated with the implementation of independent method claim 1. Accordingly, independent system claim 16 is patentable over Widegren for the reasons discussed above with respect to independent method claim 1.

Based on the patentability of independent claims 1 and 16, for the reasons set forth above, dependent claims 2-15, and 17-21 are also patentable.

Applicants respectfully submit that this application is in condition for allowance, and such action is respectfully requested.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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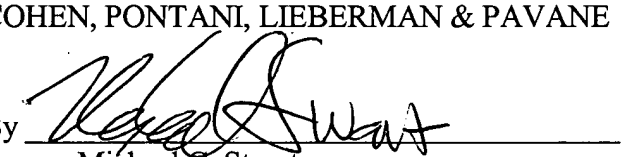
By 

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AMENDMENTS TO THE DRAWINGS:

Figs. 1, 2 and 3 have been amended as indicated in the four Replacement Sheets attached hereto. Appropriate descriptive text has been added to various boxes in the figures. In addition, Fig. 2 has been divided into Figs. 2a and 2b.

SERIAL No. 10/148,775

ANNOTATED SHEET SHOWING CHANGES

FIG. 3